

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
Clerk's Office
USDC, Mass.
Date 5/25/05
w/ Deputy Clerk

M.B.D. No.

05-10203

K-SWISS INC., a Delaware Corporation

Plaintiff

v.

PAYLESS SHOESOURCE, INC.

Defendant

DECLARATION OF NEIL D. GREENSTEIN

I, Neil D. Greenstein, declare and say:

1. I am one of the attorneys representing K-Swiss Inc. ("K-Swiss") as Plaintiff in the California litigation with Defendant Payless Shoesource, Inc. ("Payless") (Case Number CV04-0779 RJK (RCx) in the United States District Court for the Central District of California).

2. Except as otherwise noted herein, I have personal knowledge of the facts stated herein and if called to testify before this Court, I could and would competently testify thereto. I am providing this declaration in support of the Motion to Admit Neil D. Greenstein *Pro Hac Vice*.

3. I am a member in good standing of every bar in which I have been admitted to practice, excepting only certain federal courts in which continuing fees are required to maintain membership. In those courts, I am eligible to practice upon payment of the required fees and completion of standard documents such as an ECF registration form. I have been admitted to practice in the jurisdictions and before the Courts shown on Exhibit A attached hereto.

4. There are no disciplinary proceedings pending against me as a member of the bar

in any jurisdiction or Court..

5. I am familiar with the Local Rules of this Court.

6. I am familiar with K-Swiss and the issues in this proceeding. I am lead counsel in the dispute between K-Swiss and Payless pending in the United States District Court for the Central District of California under case number CV04-779-RJK. My appearance and participation in conjunction with local counsel is necessary and proper for effective representation of K-Swiss in this subpoena dispute matter.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 23, 2005


Neil D. Greenstein

EXHIBIT I

State Court Bar Admissions – Neil D. Greenstein

<u>Court</u>	<u>Date Admitted</u>	<u>Current Standing</u>	<u>Bar No.:</u>
Virginia State Bar	5/16/79	Associate	18555
Virginia Supreme Court	6/7/79	Good	
Wisconsin Supreme Court	10/12/82	Active	1013575
California Supreme Court	9/29/86	Active	123980

Federal Court Bar Admissions – Neil D. Greenstein

<u>Court</u>	<u>Date Admitted</u>	<u>Current Standing</u>	<u>Bar No.:</u>
United States Court of Appeals for the Fourth Circuit	6/7/79	Good	None
United States Tax Court	11/13/80	Ineligible*	None
United States District Court for the Eastern District of Virginia	3/9/81	Good	None
United States Supreme Court	6/28/82	Good	None
United States Court of Appeals for the Federal Circuit	1982 (Previously admitted to predecessor courts, Court of Claims and Court of Customs and Patent Appeals) (10/31/80)	Good	None
United States Court of Appeals for the Seventh Circuit	2/19/82	Good	None
United States District Court for the Eastern District of Wisconsin	6/1/83	Good	None
United States District Court for the Western District of Wisconsin	10/11/85	Good	None

EXHIBIT A

<u>Court</u>	<u>Date Admitted</u>	<u>Current Standing</u>	<u>Bar No.:</u>
United States District Court for the Northern District of California	8/28/86	Good	None
United States Court of Appeals for the Ninth Circuit	9/19/86	Good	None
United States District Court for the Central District of California	6/29/87	Good	None
United States District Court for the Eastern District of California	5/1/89	Good	None
United States District Court for the District of Nebraska	1/25/90	Inactive*	None
United States District Court for the Southern District of California	4/6/90	Good	None
United States District Court for the Northern District of Illinois	9/22/00	Good	90785063
United States District Court for the Eastern District of Michigan	9/17/02	Good	None
United States District Court for the Northern District of Texas	11/26/02	Good	None
United States District Court for the District of Colorado	7/14/03	Good	None

*These courts require payment of fees to maintain active status. Since I do not regularly practice in these courts, I elected not to pay the fees. However, I am eligible for "active status" in both of these courts upon payment of the applicable fees and completion of "standard" forms such as the ECF Registration form.

I have also been admitted to practice *pro hac vice* to the following Federal District Courts at various times throughout my career:

United States District Court for the Southern District of New York

United States District Court for the Eastern District of New York

United States District Court for the Middle District of Florida

EXHIBIT A

United States District Court for the Southern District of Texas

United States District Court for the Western District of Texas

United States District Court for the Northern District of Texas

United States District Court for the Eastern District of Louisiana

United States District Court for the Western District of Washington

United States District Court for the District of Oregon

United States District Court for the District of Nevada

United States District Court for the District of Arizona

United States District Court for the Southern District of West Virginia

United States District Court for the District of Maryland

United States District Court for the Eastern District of North Carolina

I have also been admitted to practice *pro hac vice* to the following State Courts:

State of South Carolina, County of Horry

EXHIBIT A